

PUBLIC HEARING--April 14, 1965

Appeal #8136 Cecil F. and Lucy D. Hilleary, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Davis dissenting, the following order was entered on April 20, 1965:

ORDERED:

That the appeal to change a nonconforming use from a grocery store to a doll shop at 3400 and 3402 Reservoir Road, N.W., lot 835, square 1291, be denied.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot has a frontage of 35.58 feet on Reservoir Street, a depth of 63.13 feet on 34th Streets and contains an area of 2246 square feet of land.

(2) The property is developed with a two-story frame structure with two show windows, one on each street. The property is vacant at the present time but was used in part as a grocery store for many years, with the other section being used as a residence.

(3) Appellant proposes to use the same portion of the structure which was previously a grocery store as a doll shop where dolls, doll clothes and doll house furnishings would be sold. There will be no dolls or doll clothing manufactured on the premises. A museum of dolls would also be housed in the same portion of the structure, said museum containing dolls of foreign lands and period dolls of American history dressed in authentic costumes of the period. Appellant would utilize the remainder of the structure as a residence and would operate the shop as a hobby.

(4) No off-street parking is required and none will be provided on the premises.

(5) There will be no structural alterations to that part of the structure used as a doll shop. Any signs used in conjunction with the shop would be in keeping with the area with illumination only enough to light the sign and would be of a nonpulsating type.

(6) There was objection to the granting of this appeal registered at the public hearing. There was also a petition and letters in favor of the granting of this appeal.

OPINION:

From the records and the evidence adduced at the hearing, the Board finds that the proposed operation would not provide a neighborhood facility and would, therefore, in its opinion affect adversely the present character and future development of the neighborhood in accordance with these regulations and the Comprehensive plan for the District of Columbia. We are also of the opinion that this exception cannot be granted without affecting adversely the use of neighboring property and would not be in harmony with the general purpose and intent of the zoning regulations and map.